<u>REMARKS</u>

Claims 1-25 are pending in the present patent application. Claims 1-25 stand rejected. This application continues to include claims 1-25.

Applicants hereby incorporate by reference their arguments set forth in their previous response mailed February 24, 2005.

Claims 1, 9, 10, 17, and 25 were rejected under 35 U.S.C. §103(a) as being unpatentable over Buse, et al., U.S. Patent No. 6,810,420 B1 (hereinafter, Buse) in view of Cheshire, S., Current Meeting Report, Cheshire, et al., 03/99 (hereinafter, Cheshire). Applicants respectfully request reconsideration in view of the following.

Buse discloses a discovery scheme which can be operated by a proxy device such as a personal computer coupled to a local area network, and which facilitates the discovery of devices which may or may not be configured with an IP address (col. 1, lines 39-42). The discovery protocol performed by the proxy employs three basic packets, and when the proxy has resolved an IP address for the device, it sends an IP address allocated to the device, which then configures itself with the supplied parameters, and sends an "I_AM_HERE" frame with the address field being set to the allocated IP address (col. 2, lines 22-58, Figs. 2 and 3).

In order to resolve an IP address for the device, the proxy first sends a DHCP request, and if a DHCP server is available, that server provides a DHCP response including an IP address (col. 3, lines 23-26). If there is no DHCP response, the proxy allocates an IP address using Automatic Private IP addressing (col. 3, lines 28-37), and may verify that there is no address conflict using address resolution protocol or an ICMP echo request (col. 3, lines 37-41).

Thus, Buse provides to a device an IP address obtained via either a DHCP request or Automatic Private IP addressing.

Cheshire discloses automatic IP address assignment for a link local address with IPv4 (page 1). The IPv4 operation as implemented in Mac OS 8.5 includes using a DHCP discover, and if no DHCP server is discovered, picking a random address, sending an ARP probe to verify that the address is not already in use, and if the address is in use, iterating the picking and repeating steps 10 times at most, otherwise configuring the computer's interface with the IP address (page 3).

Thus, Cheshire discloses a computer obtaining for itself an IP address via either a DHCP discover request or by picking a random address, verifying that it is not in use via an APR probe, and configuring that computer's interface with the IP address.

Applicants believe that claims 1, 9, 10, 17, and 25 patentably define Applicants' invention over the cited references, Buse in view of Cheshire for at least the reasons set forth below.

Claim 1 is directed to a method of automatically assigning an internet protocol address to a device. Claim 1 recites, in part, said computer performing the steps of: generating an internet protocol address; incorporating said internet protocol address in an address resolution protocol probe; sending said address resolution protocol probe on said network; and determining whether a response to said address resolution protocol probe indicates that said internet protocol address is in use; wherein if said internet protocol address is not in use, then performing the step of assigning said internet protocol address to said network adapter via said network.

In contrast to claim 1, Buse discloses (1) obtaining an IP address via either a DHCP request or Automatic Private IP addressing, wherein (2) it may be verified that there is no address

conflict using address resolution protocol or an ICMP echo request (col. 3, lines 37-41), and (3)

providing the device with an address.

Thus, although the Buse invention may provide a device with an IP address, it does <u>not</u> do

so by (1) generating an IP address; (2) incorporating the IP address in an ARP probe; (3) sending

the ARP probe on the network; (4) determining whether a response to the ARP probe indicates

that the IP address is in use; and (5), assigning the IP address to the network adapter via the

network if the internet protocol address is not in use, as recited in claim 1.

Accordingly, assuming arguendo that Buse does provide a device with an IP address, Buse

does <u>not</u> do so in a manner as recited in claim 1.

Thus, Buse does <u>not</u> disclose, teach, or suggest the subject matter of claim 1.

In contrast to both claim 1 and Buse, Cheshire is directed to a device that performs <u>self-</u>

<u>configuration</u>, wherein a computer obtains <u>for itself</u> an IP address via either a DHCP discover

request or by picking a random IP address, verifying that the IP address is not in use via an ARP

probe, and configuring that computer's interface with the IP address.

Thus, in contrast to configuring another device over a network, Cheshire discloses a

device that configures itself. Accordingly, Cheshire does not disclose, teach, or suggest the

subject matter of claim 1.

Although the Examiner asserts that it would have been obvious to combine the teachings

of Cheshire with the Buse invention in order to achieve Applicants' claimed invention, Applicants

respectfully submit that there would be <u>no motivation to modify Buse with Cheshire</u>, for at least

the reasons set forth below.

The mere fact that the prior art could be so modified would <u>not</u> have made the modification obvious <u>unless the prior art suggested the desirability of the modification</u>. In re Laskowski 10 USPQ2d 1397 (Fed. Cir. 1989). In addition, prior art references in combination do not make the invention obvious <u>unless something in prior art references would suggest **advantage** to be derived from combining their teachings</u>. In re Sernaker, 217 USPQ 1 (Fed. Cir. 1983).

However, there is <u>nothing</u> disclosed, taught, or suggested in either of the Buse or Cheshire references that would suggest the desirability of the asserted combination or that there would be an advantage to be derived from their teachings. Thus, it would <u>not</u> have been obvious to combine the prior art references since there is <u>simply nothing in those references suggesting that their teachings could be successfully combined to yield advantageous results in the primary reference</u>. In re Sernaker, 217 USPQ 1 (Fed. Cir. 1983).

Although the Response to Arguments includes the assertion that the motivation to combine the references is found "in the nature of the problem to be solved," and that one would be motivated to combine the references "because each reference was directed to allocating an IP address to a device with minimal user invention," Applicants respectfully submit that such assertions are general in nature, and do <u>not</u> even purport to assert that Buse and/or Cheshire suggest an advantage of modifying Buse with Cheshire.

The Response to Arguments also includes the assertion that the motivation to modify Buse with Cheshire is to "further enable the use of other network layer protocols beside IP seamlessly." However, such a motivation is not disclosed, taught, or suggested by either of Buse or Cheshire. In fact, rather than using other network layer protocols beside IP seamlessly, Cheshire discloses

that both Apple and Microsoft are attempting to move towards complete use of IETF standard protocols in replacement of their legacy protocols (Appletalk and NetBeui).

In addition, Applicants submit that since Cheshire is directed to self-configuration, in contrast to Buse, one would not have been motivated to modify Buse, since Buse is directed to configuration by proxy, which is unrelated to self-configuration, and also discloses what is purported to be operational method to perform a configuration for a device by proxy that does not purport to need modification in order to achieve its desired result. Stated differently, there would be no motivation to modify a method for configuration by proxy which is operational in of itself (Buse), much less by incorporating aspects of a method for self-configuration (Cheshire).

Applicants further contend that the way in which the Examiner has assembled the combination of Buse and Cheshire, without any advantage disclosed, taught, or suggested by either of the references, is tantamount to impermissible hindsight reconstruction of Applicants' claims.

It is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the prior art so that the claimed invention is rendered obvious. In re Fritch, (CA FC) 23 USPQ2d 1780, 1784 (Fed. Cir. 1992). For example, Buse is directed to configuration by proxy, whereas Cheshire is directed to self-configuration. Since, as set forth above, there is no advantage disclosed, taught, or suggested by either of the references to modify Buse with Cheshire, it follows that there would not be a motivation to combine the references, and consequently, Applicants submit that the asserted combination is based on impermissible hindsight reconstruction.

Accordingly, Applicants respectfully submit that it would <u>not</u> be obvious to modify Buse with Cheshire, and thus, claim 1 <u>is not unpatentable</u> over Buse in view of Cheshire.

Claims 9 and 10 are believed allowable due to their dependence on otherwise allowable base claim 1. In addition, claims 9 and 10 further and patentably define Applicants' invention over Buse in view of Cheshire.

Claim 17 is directed to a network based imaging system. Claim 17 recites, in part, wherein said computer executes instructions which generate an internet protocol address, incorporate said internet protocol address into an address resolution protocol probe, send said address resolution protocol probe on said network, utilize a response to said address resolution protocol probe to determine if said internet protocol address is in use and if said internet protocol address is not in use, then assign said internet protocol address to said network adapter via said network.

Claim 17 is believed allowable for substantially the same reasons as set forth above with respect to claim 1.

Claim 17 also recites, in part, an imaging device; and a network adapter communicatively coupling said imaging device to said network, said network providing communicative interconnection between said computer and said network adapter. Buse does not disclose, teach, or suggest an <u>imaging</u> device, and nor does the Examiner assert as much. In addition, although Cheshire offhandedly mentions "printers," (page 5), Cheshire does <u>not</u> disclose, teach, or suggest <u>an imaging device; and a network adapter communicatively coupling the imaging device to the network, the network providing communicative interconnection between the computer and the network adapter</u>.

MPEP 2142 requires that in order to establish a *prima facie* case of obviousness, <u>all claim limitations must be taught or suggested by the prior art references</u> (MPEP 2142, Rev. 2, May 2004, Page 2100-128, right column). Since Buse in view of Cheshire <u>simply do not disclose, teach, or suggest **all** of the limitations of claim 17</u>, e.g., an imaging device; and a network adapter communicatively coupling the imaging device to the network, the network providing communicative interconnection between the computer and the network adapter, Applicants invention of claim 17 is <u>not</u> obvious over Buse in view of Cheshire as per MPEP2142.

Accordingly, for at least the reasons set forth above, Applicants respectfully submit that claim 17 is patentable over the cited references, Buse in view of Cheshire.

Claim 25 is believed allowable due to its dependence on otherwise allowable base claim 17. In addition, claim 25 further and patentably defines Applicants invention over Buse in view of Cheshire.

Accordingly, for at least the reasons set forth above, Applicants respectfully submit that claims 1, 9, 10, 17, and 25 are allowable in their present respective forms, and thus respectfully request that the rejection of claims 1, 9, 10, 17, and 25 under 35 U.S.C. §103(a) be withdrawn.

Claims 2-6 and 18-22 were rejected under 35 U.S.C. §103(a) as being unpatentable over Buse in view of Cheshire, and in further view of Reed, et al., U.S. Patent No. 6,061,739 (hereinafter, Reed). Applicants respectfully request reconsideration of the rejection of claims 2-6 and 18-22 in view of the following.

Reed discloses a method for assigning a network address to a new device coupled to a network without any additional infrastructure or pre-existing knowledge of the hardware address of the device (col. 4, lines 19-22). The device attempts to establish a connection on the network,

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resulting in ARP requests being generated (col. 4, lines 22-25). The device monitors the communications on the network for unanswered ARP requests (col. 4, lines 25-27). When the device sees N unanswered ARP requests in a given length of time, it adopts the requested network address and responds to the ARP with its hardware address (col. 4, lines 27-30, Fig. 2).

Thus, the Reed device performs self-configuration.

Applicants believe that claims 2-6 and 18-22 patentably define Applicants' invention over the cited references, Buse in view of Cheshire, and in further view of Reed, for at least the reasons set forth below.

Each of claims 2-6 depend directly or indirectly from claim 1. As set forth above with respect to claim 1, the subject matter of claim 1 is not obvious over Buse in view of Cheshire. Applicants respectfully submit that Reed does not overcome the deficiency of Buse in view of Cheshire, as applied to claim 1, nor does the Examiner assert as much.

For example, like Cheshire, Reed discloses self configuration of an IP address. As set forth above, Reed et al, discloses that the device attempts to establish a connection, causing ARP requests to be generated, and when the device sees N unanswered ARP requests (where N is a preset threshold) in a given length of time, the device adopts the requested network address and responds to the ARP with its hardware address (col. 4, lines 22-30, Fig. 2).

Thus, by sending and responding to ARP communications, the device configures itself with an IP address, in contrast to claim 1, wherein a computer performs the step of assigning the internet protocol address to the device (the network adapter) via the network, i.e., the network adapter is configured by the computer via the network.

Thus, for substantially the same reasons as set forth above with respect to claim 1 as with respect to Buse in view of Cheshire, it would not have been obvious to combine the teachings of Cheshire and Reed, i.e., self-configuration, with the allocation of IP addresses by proxy, as disclosed by Buse.

For example, the mere fact that the prior art could be so modified would not have made the modification obvious unless the prior art suggested the desirability of the modification. In re Laskowski 10 USPQ2d 1397 (Fed. Cir. 1989). In addition, prior art references in combination do not make the invention obvious unless something in prior art references would suggest **advantage to be derived from combining their teachings**. In re Sernaker 217 USPQ 1 (Fed. Cir. 1983).

However, there is nothing disclosed, taught, or suggested in either of the Buse or Cheshire or Reed references that would suggest the desirability of the asserted combination or that there would be an advantage to be derived from their teachings. Thus, it would not have been obvious to combine the prior art references since there is simply nothing in those references suggesting that their teachings could be successfully combined to yield advantageous results in the primary reference. In re Sernaker 217 USPQ 1 (Fed. Cir. 1983).

In addition, Applicants submit that since Cheshire and Reed are directed to self-configuration, in contrast to Buse, one would not have been motivated to modify Buse, since Buse is directed to configuration by proxy, and also discloses what is purported to be operational method to perform a configuration for a device by proxy that does not purport to need modification in order to achieve its desired result. That is, there would be no motivation to modify a method for configuration by proxy that is operational in of itself (Buse), much less by incorporating aspects of a method for self-configuration (Cheshire and/or Reed).

Applicants further contend that the way in which the Examiner has assembled the combination of Buse, Cheshire and Reed, without any advantage disclosed, taught, or suggested by the references, is tantamount to <u>impermissible hindsight reconstruction of Applicants' claims</u>.

It is <u>impermissible</u> to use the claimed invention as an instruction manual or "template" <u>to piece together the teachings of the prior art so that the claimed invention is rendered obvious</u>. In re Fritch, (CA FC) 23 USPQ2d 1780, 1784 (Fed. Cir. 1992). For example, Buse is directed to configuration by proxy, whereas Cheshire and Reed are directed to self-configuration. Since there is <u>no advantage</u> disclosed, taught, or suggested by any of the references (Buse, Cheshire, and/or Reed) to modify Buse with Cheshire or Reed, it follows that there would not be a motivation to combine the references, and consequently, Applicants submit that <u>the asserted combination is based on impermissible hindsight reconstruction</u>.

Accordingly, Applicants respectfully submit that it would <u>not</u> be obvious to modify Buse with Cheshire and Reed, and thus, claims 2-6, depending from claim 1, <u>are not unpatentable</u> over Buse in view of Cheshire and in further view of Reed.

Claims 18-22 were rejected on the same basis as claims 2-6, and are believed allowable for substantially the same reasons as set forth above with respect to claims 2-6.

Accordingly, for at least the reasons set forth above, Applicants respectfully submit claims 2-6 and 18-22 are allowable in their present respective forms, and thus respectfully request that the rejection of claims 2-6 and 18-22 under 35 U.S.C. §103(a) be withdrawn.

Claims 7, 11-16, and 23 were rejected under 35 U.S.C. §103(a) as being unpatentable over Buse in view of Cheshire, and in further view of Mellquist, U.S. Patent No. 6,115,545.

Applicants respectfully request reconsideration of the rejection of claims 7, 11-16, and 23 in view of the following.

Mellquist discloses as background, the use of a BOOTstrap Protocol (BOOTP) that allows clients to automatically receive all IP configuration information from a configured BOOTP server (col. 2, lines 26-30). In order to define an IP address, a free address in the range of valid addresses must be selected (col. 3, lines 12-14). Addresses are usually administered by a person who allocates these addresses to entities who require them (col. 3, lines 14-15). It is important that duplicate addresses are not allowed since this can cause major trouble (col. 3, lines 16-17). Also, a sub-net mask is required for proper operation, and must be the same on all entities across the sub-net (col. 3, lines 17-19).

The Mellquist apparatus includes a configuration module 41 that acts in place of a BOOTP server to accept and reply to a select set of BOOTP requests from devices, wherein the BOOTP response contains an IP address corresponding to a media access control (MAC) address for the device that submitted the BOOTP request (col. 5, lines 36-45). Once powered up, a network device 33 issues a broadcast BOOTP request 47 which will be picked up by IP configuration module 41, that issues a BOOTP response 48 by which network device 33 will obtain the IP configuration parameters and proceed to initialize (col. 5, line 66 to col. 6, line 5).

Applicants believe that claims 7, 11-16, and 23 patentably define Applicants' invention over the cited references, Buse in view of Cheshire, and in further view of Mellquist, for at least the reasons set forth below.

As set forth above with respect to claim 1, the subject matter of claim 1 is not obvious over Buse in view of Cheshire. Applicants respectfully submit that Mellquist does not overcome

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the deficiency of Buse in view of Cheshire, as applied to claim 1, nor does the Examiner assert as much.

For example, as set forth above, Mellquist discloses that a network device 33 sends out a BOOTP request, and IP configuration module 41, standing in the place of a BOOTP server, provides a BOOTP response including an IP address to network device 33, which then proceeds to initialize. Thus network device 33 configures itself by obtaining an IP address from IP configuration module 41 that acts in the place of a BOOTP server, a process which is known in the art to be self-configuration.

In contrast to a network device that configures itself based on submitting a BOOTP request and receiving a BOOTP response, as disclosed by Mellquist, claim 1 contemplates a computer that performs the step of assigning the internet protocol address to the network device, i.e., a network adapter associated with a device other than the computer that assigns the IP address, via the network. As set forth above, this allows the use of a network adapter that is unable to configure itself, i.e., a network adapter that does not contain a mechanism for obtaining an IP address, and depends on another computer to do so (see Applicants' specification at page 4, lines 28-31).

Thus, for substantially the same reasons as set forth above with respect to claim 1 as with respect to Buse in view of Cheshire, it would not have been obvious to combine the teachings of Cheshire and Mellquist, i.e., self-configuration, with the allocation of IP addresses by proxy, as disclosed by Buse.

Claim 7 is thus believed allowable due to its dependence on otherwise allowable base claim 1.

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In addition, claim 7 recites, in part, determining if the network adapter has a valid internet protocol address. In rejecting claim 7, the Examiner again relies on Mellquist at column 3, lines 11-19. As set forth in their previous response, Applicants respectfully submit that the relied-upon language of Mellquist merely discloses that a required free address in the range of valid addresses must be selected (col. 3, lines 12-14), that addresses are usually administered by a person who allocates these addresses to entities who require them (col. 3, lines 14-15), and that duplicate addresses are not allowed (col. 3, lines 16-17).

However, such language simply does <u>not</u> disclose, teach, or suggest any "<u>determination</u>" aspect, much less <u>determining if the network adapter has a **valid** internet protocol address</u>, as recited in claim 7. For example, the relied-upon Mellquist statements merely lists two existing constraints on IP addresses, and disclose that addresses are administered by a person who allocates the addresses, **without** <u>stating that there is a determination as to whether an address is</u> <u>valid</u>.

For example, the relied upon Mellquist text simply <u>does not</u> disclose, teach, or suggest <u>finding out if the address is **valid** by investigation, reasoning, or calculation</u>, as would constitute <u>determining</u> if the address is valid. Rather, the relied upon text simply indicates that a free address must be used, indicates who usually provides the addresses, and indicates that duplicate addresses are not allowed.

Although Buse discloses checking for an IP address <u>conflict</u>, and Cheshire discloses determining whether an address is already <u>in use</u>, neither Buse nor Cheshire disclose, teach, or suggest checking if the IP address is supported by a generally accepted authority, as might constitute determining if the network adapter has a **valid** internet protocol address.

Accordingly, claim 7 is believed allowable in its own right.

Claim 11 is directed to a method of automatically assigning an internet protocol address to a device. Claim 11 recites, in part, determining if said low-cost network adapter has a valid internet protocol address. For substantially the same reasons as set forth above with respect to claim 7, Applicants respectfully submit that Buse in view of Cheshire, and in further view of Mellquist <u>does not disclose, teach, or suggest determining if the low-cost network adapter has a valid internet protocol address.</u>

Claim 11 also recites, in part, the computer performing the steps of: generating an internet protocol address; incorporating said internet protocol address in an address resolution protocol probe; sending said address resolution protocol probe on said network; and determining whether a response to said address resolution protocol probe indicates that said internet protocol address is in use; wherein if said internet protocol address is not in use, then performing the step of assigning said internet protocol address to said low-cost network adapter via said network.

Applicants invention of claim 11, as set forth above, is not obvious over Buse in view of Cheshire, for substantially the same reasons set forth above with respect to claim 1. Applicants respectfully submit that Mellquist does not overcome the deficiency of Buse in view of Cheshire, as applied to claim 11, nor does the Examiner assert as much.

Accordingly, for at least the reasons set forth above, Applicants respectfully submit that the cited references, Buse in view of Cheshire, and in further view of Mellquist, do not disclose, teach, or suggest the subject matter of claim 11.

Claims 12-16 are believed allowable due to their dependence on otherwise allowable base claim 11. In addition, claims 12-16 further and patentably define Applicants invention over Buse in view of Cheshire, and in further view of Mellquist.

Claim 23 is directed to the system of claim 17. Claim 23 recites, in part, wherein the computer executes preliminary instructions to determine if said network adapter has a valid internet protocol address. For substantially the same reasons as set forth above with respect to claim 7, Buse in view of Cheshire, and in further view of Mellquist do <u>not</u> disclose, teach, or suggest wherein the computer executes preliminary instructions <u>to determine if the network adapter has a **valid** internet protocol address</u>, as recited in claim 23. Accordingly, claim 23 is believed allowable in its present form.

In addition, claim 23 is believed allowable due to its dependence on otherwise allowable base claim 17.

Accordingly, for at least the reasons set forth above, Applicants respectfully submit that claims 7, 11-16, and 23 are in condition for allowance in their present respective forms, and thus respectfully request that the rejection of claims 7, 11-16, and 23 under 35 U.S.C. §103(a) be withdrawn.

Claims 8 and 24 were rejected under 35 U.S.C. §103(a) as being unpatentable over Buse in view of Cheshire, in further view of Mellquist, and in further view of Troll, Request for Comments: 2563, May 1999, Troll R. Applicants respectfully request reconsideration of the rejection of claims 8 and 24 in view of the following.

Troll is directed to disabling stateless auto-configuration in IPv4 clients (page 1), and allowing a DHCP client to determine whether or not it should assign itself a "link-local" address

(page 2). Troll also discloses an auto-configure option which allows a DHCP client to determine whether or not it should generate a link-local IP address.

Applicants believe that claims 8 and 24 patentably define Applicants' invention over the cited references, Buse in view of Cheshire, in further view of Mellquist, and in further view of Troll, for at least the reasons set forth below.

Claim 8 is directed to the method of claim 7, wherein prior to performing said generating step said method comprising the step of determining whether said network allows said computer to assign an internet protocol address to said network adapter.

Claim 8 depends from claim 7, which depends from claim 1. As set forth above with respect to claim 7, the subject matter of either of claims 1 and 7 is <u>not</u> unpatentable over Buse in view of Cheshire, and in further view of Mellquist. Applicants respectfully submit that Troll does not overcome the deficiency of Buse in view of Cheshire, and in further view of Mellquist, nor does the Examiner assert as much.

For example, as set forth above, and as acknowledged by the Examiner, Troll is directed to a DHCP client assigning itself an IP address, <u>which is known in the art as self assignment, or self configuration.</u> In contrast, however, claims 1 and 7 contemplate a computer that performs the step of assigning the internet protocol address to the network device, i.e., the network adapter, via the network. As set forth above, this allows the use of a network adapter that is unable to configure itself, i.e., a network adapter that does not contain a mechanism for obtaining an IP address, and depends on another computer to do so (see Applicants' specification at page 4, lines 28-31).

As set forth above with respect to claims 1 and 7, it would not be obvious to combine the teaching of Buse in view of Cheshire. For substantially the same reasons as set forth above with respect to claims 1 and 7 as with respect to Buse in view of Cheshire, it would <u>not</u> have been obvious to combine the teachings of Cheshire, Mellquist, and Troll, i.e., self-configuration, with the allocation of IP addresses by proxy, as disclosed by Buse.

Accordingly, claim 8, depending from claims 1 and 7 is <u>not</u> unpatentable over Buse in view of Cheshire, in further view of Mellquist, and in further view of Troll.

In addition, Troll does <u>not</u> disclose, teach, or suggest <u>determining whether the network allows the computer to assign an internet protocol address to the network adapter</u>, as recited in claim 8, nor do the other cited references. Rather, Troll discloses that a DHCP client will be able to determine whether the network is centrally administered, thus allowing it to determine whether or not it should assign itself an address (page 2). Troll also discloses that a DHCP client will be allowed to determine whether or not it should generate an address (page 3). However, the relied-upon Troll disclosures have no bearing on and do not disclose, teach, or suggest determining <u>whether the network allows the computer to assign an internet protocol address to the network adapter</u>, as recited in claim 8.

Accordingly, claim 8 is believed allowable in its own right.

Further, Applicants respectfully submit that the mere fact of the Examiner's reliance on a **combination of 4 references** to reject claim 8 supports Applicants' present contention of <u>impermissible hindsight reconstruction of Applicants invention, using Applicants' disclosure as a blueprint</u>, for at least the reasons set forth above with respect to claims 1 and 2-6.

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Claim 24 is directed to the system of claim 23, wherein said preliminary instructions further determine whether said network allows said computer to assign an internet protocol address to said network adapter. Claim 24 is believed allowable for substantially the same reasons as set forth above with respect to claim 8.

Accordingly, for at least the reasons set forth above, Applicants respectfully submit that claims 8 and 24 are allowable in their present respective forms, and thus respectfully request that the rejection of claims 8 and 24 under 35 U.S.C. §103(a) be withdrawn.

For the foregoing reasons, Applicants submit that the present application is in condition for allowance in its present form, and it is respectfully requested that the Examiner so find and issue a Notice of Allowance in due course.

In the event Applicants have overlooked the need for an extension of time, an additional extension of time, payment of fee, or additional payment of fee, Applicants hereby conditionally petition therefor and authorize that any charges be made to Deposit Account No. 20-0095, TAYLOR & AUST, P.C.

Should any question concerning any of the foregoing arise, the Examiner is invited to

telephone the undersigned at (317) 894-0801.

Respectfully submitted,

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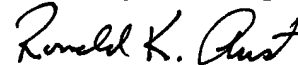Facsimile: 317-894-0803

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